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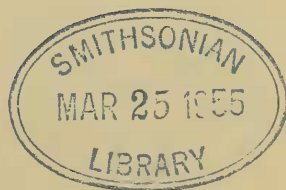
OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by
FRANCIS HEMMING, C.M.G., C.B.E.,
Secretary to the Commission

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OPINION 332

Rejection for nomenclatorial purposes of the work by
William Borlase entitled *The Natural History of Cornwall*
published in 1758



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 332

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President : (Vacant).

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Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(*arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*).

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Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

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Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950).

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 332

REJECTION FOR NOMENCLATORIAL PURPOSES OF THE WORK BY WILLIAM BORLASE ENTITLED “THE NATURAL HISTORY OF CORNWALL” PUBLISHED IN 1758

RULING :—(1) It is hereby ruled that in the work entitled *The Natural History of Cornwall* published in 1758 William Borlase did not apply the principles of binominal nomenclature and therefore that new names published in the foregoing work do not satisfy the requirements of Proviso (a) to Article 25 of the *Règles* and accordingly possess no rights under the Law of Priority in virtue of having been so published.

(2) The under-mentioned works are hereby placed on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* as Works Nos. 26 and 27 respectively :—(a) Borlase (W.), 1758, *The Natural History of Cornwall*, as rejected in (1) above ; (b) Gronovius (L.T.), 1762, paper entitled “*Animalium belgicorum observatorum Centuria Quinta*” published in volume 5 of the serial publication *Acta Helvetica physico-mathematico-botanico-medica* (a paper in which the author did not apply the principles of binominal nomenclature).

(3) The under-mentioned generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name Nos. 224 to 226 respectively :—(a) *Astacus* Borlase, 1758 (a name published in a work rejected for nomenclatorial purposes under (1) above) ; (b) *Astacus* Gronovius, 1762 (a name published in a work rejected for nomenclatorial purposes) ; (c) *Astacus* Gronovius, 1764 (a name published in a work rejected for nomenclatorial purposes).

I.—THE STATEMENT OF THE CASE

On 27th May 1951, Mr. Francis Hemming, *Secretary to the International Commission on Zoological Nomenclature*, submitted the following application for a Ruling that in the work entitled *The Natural History of Cornwall* published in 1758, William Borlase did not apply the principles of binominal nomenclature and therefore that new names did not acquire the status of availability by reason of having been so published :—

On the status for the purposes of zoological nomenclature of the work entitled "The Natural History of Cornwall" by William Borlase published in 1758, with special reference to the availability of the generic name "Astacus" Borlase, 1758 (Class Crustacea, Order Decapoda)

By FRANCIS HEMMING, C.M.G., C.B.E.

(*Secretary to the International Commission on Zoological Nomenclature*)

1. When during the late war (in 1944) I was engaged in checking the entries made in the *Official List of Generic Names in Zoology* with a view to its eventual publication in book form (in accordance with the decision announced in 1943 (*Bull. zool. Nomencl.* 1 : xxii—xxiv)), I found, when I came to examine the entries in the *Official List* made in the Commission's *Opinion* 104 (1928, *Smithson. misc. Coll.* 73 (No. 5) : 27) that there was a doubt as to the availability under the *Règles*, of the generic name *Astacus* Pallas, 1772 (*Spicil. zool.* 9 : 81) placed on the *Official List* under that *Opinion*.

2. The doubt in regard to the availability of the name *Astacus* as from Pallas, 1772 arose from the fact that on three occasions prior to the publication of volume 9 of the *Spicilegia zoologica* of Pallas,¹ the name *Astacus* had been used—or was alleged to have been used—as a generic name by other authors. These three earlier uses of the name *Astacus* were the following :—

(1) *Astacus* Borlase, 1758, *Nat. Hist. Cornwall* : 274.

¹ The Commission has since suppressed the generic name *Astacus* Pallas, 1772, under its Plenary Powers for the purpose of validating the name *Astacus* Fabricius, 1775, which has now been placed on the *Official List of Generic Names in Zoology* in place of *Astacus* Pallas, 1772. See *Opinion* 349 (in the press).

- (2) *Astacus Gronovius*, 1762, *Acta Helv.* 5 : 365 (not vol. 4, published in 1760, as frequently stated) ;
- (3) *Astacus Gronovius*, 1764, *Zoophylac. gronov.* : 227.

3. Of the foregoing works, the *Zoophylacium gronovianum* of 1764, was a non-binominal work which in *Opinion* 20 (1910, *Smithson. Publ.* 1938 : 48—50) the International Commission had ruled as a “ binary ” work. The (in 1944) still unsettled controversy as to the validity of the ruling in regard to the status of generic names published by authors, who, though non-binominal, were allegedly “ binary ” would thus have complicated the issue of the availability of the name *Astacus Pallas*, 1772, through the competition of the earlier name *Astacus Gronovius*, 1764, if it had not been for the fact that, without prejudice to the validity of its decision in *Opinion* 20, the Commission in *Opinion* 89 (1925, *Smithson. misc. Coll.* 73 (No. 3) : 27—33) had used its Plenary Powers to suppress the *Zoophylacium gronovianum* for nomenclatorial purposes. Thus, already by 1944, the name *Astacus Gronovius*, 1764, was seen to be invalid.

4. The unsettled question of “ binary ” versus “ binominal ” nomenclature did however arise in connection with the name *Astacus* as published by Gronovius in 1762 (see paragraph 2 (2) above), for Gronovius was never a binominalist and the sole claim that could be advanced in favour of the name *Astacus Gronovius*, 1762, being accepted as an available name is that it was published by a “ binary ”, though not binominal, author. Dr. Karl Jordan, then President of the International Commission, kindly examined this article by Gronovius and reported (*in litt.* 20th January 1944) : “ The nomenclature of this publication of Gronow’s on the animals of Belgium is of the pre-Linnaean type : generic names generally as the first word of a description ; no trivial names, except occasionally in the literature cited, but names given in the Flemish vernacular. Six species of *Astacus* are described, Nos. 450 to 455. The paper is written in Latin.” In 1944, therefore, it was only possible to note that the question of the availability of the name *Astacus Pallas*, 1772, in relation to the name *Astacus Gronovius*, 1762, was one which must await decision, until at the next (Thirteenth) International Congress of Zoology a final ruling was given on the question of the meaning of the expression “ nomenclature binaire ” under the procedure laid down by the Twelfth International Congress of Zoology, Lisbon, 1935 (see 1943, *Bull. zool. Nomencl.* 1 : 45, 55). In Paris in 1948 the Thirteenth International Congress of Zoology accepted the conclusion unanimously reached by the International Commission that the expression “ nomenclature binaire ” possessed, and, as used in the *Règles*, always had possessed, a meaning identical with that of the expression “ nomenclature binominale ” and decided to substitute the latter expression for the expression “ nomenclature binaire ”, wherever that expression had till then appeared in the *Règles* (see 1950, *Bull. zool. Nomencl.* 4 : 63—66). The effect of this

decision is to show that the name *Astacus Gronovius*, 1762, possesses no rights under the Law of Priority.

5. In the light of the foregoing decision, the only possible competitor of the name *Astacus Pallas*, 1772, is the name *Astacus Borlase*, 1758. During the war it was not possible for me to examine a copy of Borlase's *Natural History of Cornwall*, and, from this point of view also, the status of the name *Astacus Pallas*, 1772, had then to be left in doubt. I have now had an opportunity of examining the copy of Borlase's book in the library of the Zoological Society of London, and have prepared the following Report :—

The Natural History of Cornwall by William Borlase, [1695—1772], was published at Oxford in 1758. Neither the title page nor the preface contains any information throwing light upon the exact date of publication in that year. The book is a small folio (pp. xix, 326, 28 pls., 1 map).

2. Although the title implies that the subject matter of this book is the natural history of the county of Cornwall, a considerable part of it is concerned either with matters of antiquarian interest or with descriptions of the mineral wealth of the county. The remainder consists of a discursive account of the animals and plants recorded as having been observed in the county or on its shores or in its neighbouring waters. The arrangement of the book is in no sense systematic. The species mentioned are referred to usually under their vernacular English names ; after these there are usually added the Latin names used for those species by some established author. The type of nomenclature employed in this book may be judged by the following quotations taken from page 264, relating respectively to the porpoise and the dolphin :—

- (1) “ The porpesse [sic] *Porcus marinus* seu *Phocaena* vel *Tursio* ; *Delphinus corpore fere coniformi, dorso lato, rostro subacuto* Artedi.”
- (2) “ The Dolphin, the *Delphinus* of the ancients and moderns (Ray, p. 12). *Delphinus corpore oblongo subtereti, rostro longo, acuto* of Artedi, p. 105 ”.

3. The foregoing examples show at once that no attempt was made in this book to apply the principles of binominal nomenclature instituted by Linnaeus in 1758. There is, indeed, so far as I can see, no reference at all to Linnaeus throughout the book. Certainly, there is no reference to the system of binominal nomenclature inaugurated in the 10th edition of the *Systema Naturae*. The total absence of any reference to that work makes it virtually certain either that Borlase's *Natural History* was published before the 10th edition of Linnaeus'

great work or that, if the latter was the first to have been published, its existence was unknown to Borlase, who, it may incidentally be noted, complained in his preface of the isolation of Cornwall at that time from the general world of learning.

4. It is perfectly clear from the evidence summarised above that in his *Natural History of Cornwall* Borlase did not apply the principles of binominal nomenclature, of the existence of which, as enunciated by Linnaeus in the 10th edition of the *Systema Naturae* published in the same year, he was indeed probably unaware.

5. As regards the name *Astacus*, the alleged use of which by Borlase led to the present inquiry, it may be noted that this occurs only once—on page 274—where it was used parenthetically in the expression “the lobster, or *Astacus verus*”. No description was given either of the genus or the species. Accordingly, since it has been ruled in *Opinion* 1 (1910, *Smithson. Publ.* 1938 : 5) in a provision that it was decided by the Thirteenth International Congress of Zoology (1950, *Bull. zool. Nomencl.* 4 : 148—149) to incorporate in the *Règles*, that the citation of a vernacular name (such as “the lobster”) does not constitute an “indication” for the purposes of Proviso (a) to Article 25, both the generic name *Astacus* and the specific name *Astacus verus*, as published by Borlase in 1758, would have been *nomina nuda*, even if (contrary to what we have seen to be the case) new names in Borlase’s *Natural History of Cornwall* had satisfied the requirements of Proviso (b) to Article 25.

6. Old books of doubtful nomenclatorial standing, such as Borlase’s *Natural History of Cornwall*, constitute a perpetual menace to stability in nomenclature and it is extremely desirable that the status of such books should be clarified as rapidly as possible. In the present case, it is essential that there should be such a clarification, in order that the doubts in regard to the availability of the name *Astacus* Pallas, placed on the *Official List* in *Opinion* 104 should be dispelled with as little further delay as possible. In the light of the foregoing Report it is recommended that the International Commission should now issue a ruling that Borlase’s book is not an available book for nomenclatorial purposes. In order further to clarify the position as regards the availability of the generic name *Astacus* Pallas, 1772, it is suggested that the older, but invalid, uses of this generic name should be disposed of by their being placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*. The specific recommendations now submitted to the International Commission on Zoological Nomenclature are therefore that it should :—

- (1) rule that in the work entitled *The Natural History of Cornwall*, published in 1758, William Borlase did not apply the principles

of binominal nomenclature and therefore that new names published in that work do not satisfy the requirements of Proviso (b) to Article 25 of the *Règles*, and accordingly possess no rights under the Law of Priority in virtue of having been so published ;

- (2) place the under-mentioned generic names on the *Official Index of Rejected and Invalid Generic Names in Zoology* :—
- (a) *Astacus* Borlase, 1758 (a name published in a book in which the author did not apply the principles of binominal nomenclature) ;
 - (b) *Astacus* Gronovius, 1762 (a name published in a paper in which the author did not apply the principles of binominal nomenclature) ;
 - (c) *Astacus* Gronovius, 1764 (a name published in a book in which the author did not apply the principles of binominal nomenclature).

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application : On the receipt of Mr. Hemming's application, the question of the availability of Borlase's *Natural History of Cornwall* was allotted the Registered Number Z.N.(S.) 543.

3. Support by Dr. L. B. Holthuis (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands) : At the same time that he submitted the present application to the Commission Mr. Hemming communicated a copy of it to Dr. L. B. Holthuis (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) who on 15th June 1951 submitted to the Commission the following document in support of the action proposed :—

W. Borlase's (1758) "The Natural History of Cornwall" has been considered by various carcinologists (among whom K. H. Barnard,

1950, in his important and recent monograph of the South African Decapoda *Ann. S. Afr. Mus.* **38** : 525, 526) to constitute the first publication in which the generic name *Astacus* has been validly employed. These carcinologists therefore are of the opinion that *Astacus verus* Borlase, 1758 (= *Cancer gammarus* Linnaeus, 1758) should be the type species by monotypy of the genus *Astacus*. This, of course, is contrary to *Opinion* 104 of the International Commission on Zoological Nomenclature, in which *Cancer astacus* Linnaeus is specified as the type species of the genus *Astacus*. The fact that Borlase's book is rare and therefore not accessible to most carcinologists, made it extremely hard for most workers in this group to form a correct opinion on this case. It is very fortunate therefore that, through Mr. Hemming's careful examination of Borlase's work and his conclusion that it contains no valid names, the question at last has been settled. Since the majority of carcinologists did not accept Borlase's name *Astacus*, the stability of carcinological nomenclature will be furthered by the suppression of the book in question.

4. Publication of the present application : The present application was sent to the printer in May 1951 and was published on 28th September of that year in Part 4 of volume 6 of the *Bulletin of Zoological Nomenclature* and Dr. Holthuis's statement in support of this application was received in time to be included in the same Part (Hemming, 1951, *Bull. zool. Nomencl.* **6** : 115—118 ; Holthuis, 1951, *ibid.* **6** : 119).

5. Support received from Dr. Ernst Mayr (then of the American Museum of Natural History, New York) : In a letter dated 31st October 1951, Dr. Ernst Mayr (then of the *American Museum of Natural History, New York*) supported the rejection of Borlase's book and suggested the establishment of an *Official Index* in which should be recorded works such as the present, when rejected for nomenclatorial purposes. This suggestion was noted for submission to the Fourteenth International Congress of Zoology, Copenhagen, 1953. The decision taken by the Congress on this subject is set out in paragraph 10 of the present *Opinion*.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

6. Issue of Voting Paper V.P.(52)57 : On 22nd May 1952, a Voting Paper (V.P.(52)57) was issued in which the Members

of the Commission were invited to vote either for, or against, the proposal "relating to the status of names in Borlase, 1758, *Natural History of Cornwall* and associated questions, as set out in Points (1) and (2) in paragraph 8 on page 118 of volume 6 of the *Bulletin of Zoological Nomenclature*" [i.e. in paragraph 6 of the application reproduced in the first paragraph of the present *Opinion*].

7. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 22nd August 1952.

8. Particulars of the Voting on Voting Paper V.P.(52)57 : The state of the voting on Voting Paper V.P.(52)57 at the close of the Prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following sixteen (16) Commissioners (arranged in the order in which Votes were received) :—*

Calman ; Hering ; Dymond ; Hankó ; Bonnet ; Vokes ;
Bradley ; do Amaral ; Hemming ; Esaki ; Riley ;
Lemche ; Mertens ; Pearson ; Stoll ; Boschma ;

(b) *Negative Votes :*

None ;

(c) *Voting Paper not returned by two (2) :*

Cabrera² ; Jaczewski.

² After the close of the Prescribed Voting Period, an affirmative Vote was received (on 1st September 1952) from Commissioner Cabrera.

9. Declaration of Result of Vote : On 23rd August 1953, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)57, signed a Certificate that the Votes cast were as set out in paragraph 8 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

10. Supplementary note on the paper in which the name "Astacus" Gronovius, 1762, was published : At the time of the preparation of the present *Opinion*, Mr. Hemming, as Secretary (on 15th May 1954), placed the following Minute relating to the work in which the name *Astacus* Gronovius, 1762, was published on the Commission's File Z.N.(S.) 543, the File allotted to the present application :—

Borlase, 1758, "The Natural History of Cornwall" : two points arising in connection with the Decision taken by the Commission

MINUTE by FRANCIS HEMMING, C.M.G., C.B.E.,
Secretary to the International Commission on Zoological Nomenclature

The application to the Commission for the rejection for nomenclatorial purposes of William Borlase's work *The Natural History of Cornwall* was submitted some time before the meeting of the Fourteenth International Congress of Zoology, Copenhagen, 1953. In consequence it contained no proposal for placing the title of the above work on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature*, which was first established by that Congress. As in other similar cases, this omission will need to be rectified in the *Opinion* to be rendered in the present case.

2. In addition to Borlase's book referred to above, there is another work involved in the present case which must be considered in connection with the *Official Index* now that that *Index* has been brought into existence. This is the paper by Laurentius Theodorus Gronovius

entitled "*Animalium belgicorum observatorum Centuria Quinta*" published in 1762 in volume 5 (: 353—382) of the serial publication *Acta Helvetica physico-mathematico-botanico-medica*. The proposal submitted to, and approved by the Commission in the present case included a request that the name *Astacus* published by Gronovius in the foregoing paper, in which (as shown in paragraph 4 of the application) Gronovius (as in his other works) used a non-binominal system of nomenclature, should be placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*. Accordingly, Gronovius' paper of 1762 will need now to be placed on the *Official Index of Rejected and Invalid Works* at the same time that the name *Astacus* published in it is placed on the corresponding *Official Index of Rejected and Invalid Generic Names*.

11. At its meeting held at Copenhagen in August 1953, the Fourteenth International Congress of Zoology decided to insert a provision in the *Règles* establishing an "Official Index" to be styled the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* and directing the insertion therein of the title of any work which the International Commission might either reject under its Plenary Powers or declare to be invalid for the purposes of zoological nomenclature (1953, *Copenhagen Decisions zool. Nomencl.* : 23—24). Since the foregoing provision applies to past, as well as to future, decisions by the International Commission in cases of this kind, the opportunity presented by the preparation of the present *Opinion* has been taken to record the insertion in the foregoing *Index Official* both of the title of Borlase (W.), 1758, *The Natural History of Cornwall* and of that of the paper by the author Gronovius published in 1762 which contains the name *Astacus* Gronovius (paragraph 10).

12. **Preparation of the Ruling giving in the present "Opinion" :** On 15th May 1954, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)57, as supplemented by the action prescribed by the Fourteenth International Congress of Zoology, Copenhagen, 1953, as specified in paragraph 11 above.

13. The following are the original references for the generic names placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* by the Ruling given in the present *Opinion* :—

Astacus Borlase, 1758, *Nat. Hist. Cornwall* : 274

Astacus Gronovius, 1762, *Acta helvet. phys.-math.-bot.-med.* 5 : 365

Astacus Gronovius, 1764, *Zoophylac. Gron.* : 227

14. The titles of the works placed on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* by the Ruling given in the present *Opinion* are as follows :—

Borlase (William), 1758, *The Natural History of Cornwall*

Gronovius (Laurentius Theodorus), 1762, a paper entitled "*Animalium belgicorum observatorum Centuria Quinta*" published in volume 5 (: 353—382) of the serial publication *Acta Helvetica physico-mathematico-botanico-medica*.

15. As the present case is concerned only with the nomenclatorial status of a book and no question of the status of an available generic name is involved, the question of placing names on the *Official List of Family-Group Names in Zoology* does not arise. The question arising under the above head in connection with the generic name *Astacus* Fabricius, 1775, will be dealt with in a later *Opinion*³.

16. At the time of the adoption of the Ruling given in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953,

³ See footnote 1.

the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

17. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

18. The present *Opinion* shall be known as Opinion Three Hundred and Thirty-Two (332) of the International Commission on Zoological Nomenclature.

DONE in London, this Fifteenth day of May, Nineteen Hundred and Fifty-Four.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING